

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

JACOBS ENGINEERING GROUP INC. and  
BLUE CANOPY GROUP LLC,

Plaintiffs-Claimants,

v.

CAPEFIRST FUNDING, LLC;  
INVESTOR RECOVERY TRUST  
CAPEFIRST ADVISORS, LLC, TRUSTEE;  
CAPEFIRST ADVISORS, LLC;  
WESTFIELDS HOLDINGS, LLC;  
TUCKER NONG & ASSOCIATES, PLLC;  
ARES CAPITAL CORPORATION;  
UNITED STATES;

and

PARTIES UNKNOWN CLAIMING ANY  
RIGHT OR INTEREST IN THE PROPERTY  
THAT IS THE SUBJECT OF THIS ACTION,

Defendants.

Civ. No. 1:18-cv-1302

**MOTION BY INTERPLEADER PLAINTIFFS FOR AN ORDER AUTHORIZING  
RECEIPT OF FUNDS TO THE COURT'S REGISTRY**

Plaintiffs-Claimants Jacobs Engineering Group Inc. and Blue Canopy Group LLC respectfully move, pursuant to Rule 67 of the Federal Rules of Civil Procedure and Local Civil Rule 67, for an order authorizing Plaintiffs-Claimants to deposit, and the Clerk of the Court to receive, \$1,933,500.00 million into an interest-bearing account, i.e., the Court Registry Investment System (CRIS), which is administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, and meets the IRS definition of a Disputed Ownership Fund (DOF) under 28 U.S.C. § 1335.

Plaintiff-Claimants have simultaneously filed a Complaint for Interpleader and Declaratory Relief with this Court, *see id.* § 2361, along with a Memorandum of Points and Authorities in Support of this Motion.

Dated: October 18, 2018

Respectfully submitted,

/s/ Thomas Shakow

Thomas Shakow, Esq. (Va. Bar. No. 70291)  
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